

State of Wisconsin



2021 Assembly Bill 240

Date of enactment:
Date of publication*:

2021 WISCONSIN ACT

AN ACT *to renumber and amend* 323.29 (3) (a); and *to create* 323.29 (3) (a) 2. and 323.29 (3) (b) 3. of the statutes; **relating to:** allocation of federal American Rescue Plan Act of 2021 funds for a statewide public safety interoperable communication system, emergency services IP network contracts, a geographic information systems database, and psychiatric treatment beds.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 323.29 (3) (a) of the statutes is renumbered 323.29 (3) (a) (intro.) and amended to read:

323.29 (3) (a) (intro.) The department shall provide do all of the following:

1. Provide staff support for the council ~~and oversight~~ of.

3. Oversee the development and operation of ~~a~~ any current or future statewide public safety interoperable communication system.

SECTION 2. 323.29 (3) (a) 2. of the statutes is created to read:

323.29 (3) (a) 2. Administer any current or future statewide public safety interoperable communication system.

SECTION 3. 323.29 (3) (b) 3. of the statutes is created to read:

323.29 (3) (b) 3. Enter into agreements for maintenance and support of, upgrades to, and enhancements for the statewide public safety interoperable communication system under this section.

SECTION 9104. Nonstatutory provisions; Building Commission.

(1) GRANT FOR PSYCHIATRIC BEDS.

(a) The legislature finds and determines that expanding psychiatric bed capacity as described in par. (b) would greatly benefit state residents by expanding access to timely inpatient mental health treatment and services and allowing public financial resources to be better distributed to more effectively improve delivery of mental health services. It is therefore in the public interest, and it is the public policy of this state, to assist the hospital described under par. (b) in expanding psychiatric bed capacity.

(b) In fiscal year 2021–22, the building commission may award a grant in the amount of \$15,000,000 for the purpose of expanding capacity for psychiatric beds to a hospital that applies to the building commission and meets all of the following criteria:

1. The hospital is located in Eau Claire County, south of the Chippewa River, and northeast of the intersection of STH 37 and USH 12 and is part of a health system that has a hospital in Chippewa County.

2. The hospital agrees to expand psychiatric bed capacity by 22 beds between the Eau Claire County hospital and the Chippewa County hospital. The hospitals shall give preference in admissions to fill beds added under this subdivision to individuals who meet the criteria for emergency detention under s. 51.15 and who are

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

from Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Clark, Douglas, Dunn, Eau Claire, Iron, Jackson, La Crosse, Lincoln, Marathon, Monroe, Oneida, Pepin, Pierce, Polk, Price, Rusk, Sawyer, St. Croix, Taylor, Trempealeau, Vilas, Washburn, or Wood Counties.

3. The hospital identifies measures that it believes will serve the needs of area residents with mental health needs, especially, as a critical component of the measures, in reducing the burden on the Winnebago Mental Health Institute.

4. The hospital agrees to annually report to the legislature, in the manner described under s. 13.172 (2), the services provided with the resources funded by the grant awarded under this subsection, including the number of individuals diverted from the Winnebago Mental Health Institute.

5. The hospital recognizes that it is liable to repay the grant funds to the state if the hospital fails to continue to maintain the expanded services and number of expanded psychiatric beds available. The amount the hospital is liable for repayment is reduced proportionately each year for 10 years of continuing expanded services as described under par. (c).

(c) A determination of continued services shall be based on findings that the hospital does all of the following:

1. Maintains an agreed upon number of beds for acceptance of admissions for emergency detention under s. 51.15. A hospital is considered to be in compliance with this subdivision if at least half of the expanded psychiatric beds under par. (b) 2. are available for individuals who are initially admitted under an emergency detention under s. 51.15.

2. Enters into a contract with, at minimum, two-thirds of the counties specified in par. (b) 2. in which the hospital agrees to do all of the following:

a. Be the primary receiver for individuals under an emergency detention under s. 51.15 for the county.

b. Accept for admission under an emergency detention individuals regardless of payment source.

c. Accept any individual subject to an emergency detention from the county unless all psychiatric beds added under par. (b) 2. are filled. The hospital may set its

payment rate based on the acuity of the individual being detained.

d. Ensure the county department is the secondary payer after any other coverage the individual has is exhausted.

(d) Notwithstanding s. 150.93, any hospital that expands psychiatric bed capacity under this subsection may increase its approved bed capacity.

(e) If, for any reason, the grant awarded under par. (b) is not used for the purpose of expanding psychiatric bed capacity, the state shall retain an ownership interest in the hospital's expansion equal to the amount of the state's grant.

(f) Of the moneys the governor accepts from the federal government under s. 16.54 pursuant to section 602 of the federal Social Security Act as amended by the federal American Rescue Plan Act of 2021, P.L. 117-2, the governor shall allocate \$15,000,000 for the grant under par. (b).

SECTION 9131. Nonstatutory provisions; Military Affairs.

(1) STATEWIDE INTEROPERABLE RADIO NETWORK. Of the moneys the governor accepts from the federal government under s. 16.54 pursuant to section 602 of the federal Social Security Act as amended by the federal American Rescue Plan Act of 2021, P.L. 117-2, the governor shall allocate \$34,000,000 for the development of an updated statewide public safety interoperable communication system as provided under s. 323.29 (3) (a) 3.

(2) EMERGENCY SERVICES IP NETWORK CONTRACTS. Of the moneys the governor accepts from the federal government under s. 16.54 pursuant to section 602 of the federal Social Security Act as amended by the federal American Rescue Plan Act of 2021, P.L. 117-2, the governor shall allocate \$18,500,000 for the development of the emergency services IP network under s. 256.35 (3s) (b).

(3) GEOGRAPHIC INFORMATION SYSTEMS DATABASE. Of the moneys the governor accepts from the federal government under s. 16.54 pursuant to section 602 of the federal Social Security Act as amended by the federal American Rescue Plan Act of 2021, P.L. 117-2, the governor shall allocate \$1,700,000 to develop a statewide geographic information systems database.